

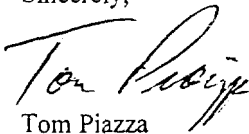
May 10, 1996

Anthony Wright
Center For Media Education
1511 K Street, NW Suite 518
Washington, DC 20005

Dear Mr. Wright:

Enclosed please find the information you requested regarding leased access rates on our cable system in Bloomington/Normal. If you are interested in securing a leased access contract please contact me and we will forward a copy.

Sincerely,

A handwritten signature in cursive script that reads "Tom Piazza".

Tom Piazza

General Manager

LEASED ACCESS RATES

for

Bloomington, IL

Basic

Leased Access Rate for Premium Services: \$ 18,586.26
(per month)

Leased Access Rate for all other programming: \$ 17,962.97
(per month)

Additional charges will be made for technical support or billing services.
Applicable franchise fees and taxes will be added to the above rates.
All rates are subject to change. No channel access will be leased prior to the
execution of an agreement for leased access.

See ATTACHMENT 1 for hourly and weekly rates for specific time periods.

ATTACHMENT 1

Bloomington, IL

Basic

Premium Service

| <u>Time Period</u> | <u>Hourly Rate</u> | <u>Weekly Rate</u> |
|-------------------------|--------------------|--------------------|
| M-F-6 am to 8 am | \$12.87 | \$128.67 |
| M-F-8 am to 3 pm | \$26.96 | \$943.61 |
| M-F-3 pm to 7 pm | \$34.31 | \$686.26 |
| M-Su-7 pm to 10 pm | \$57.19 | \$1,200.96 |
| M-Su-10 pm to midnight | \$30.64 | \$428.91 |
| M-S- midnight to 6 a.m. | \$6.13 | \$257.35 |
| Sa/Su-6 am to noon | \$21.45 | \$257.35 |
| Sa/Su- noon to 7 pm | \$27.57 | \$386.02 |
| | | <u>4,289.14</u> |

All Other Programming

| <u>Time Period</u> | <u>Hourly Rate</u> | <u>Weekly Rate</u> |
|-------------------------|--------------------|--------------------|
| M-F-6 am to 8 am | \$12.44 | \$124.36 |
| M-F-8 am to 3 pm | \$26.06 | 911.97 |
| M-F-3 pm to 7 pm | \$33.16 | 663.25 |
| M-Su-7 pm to 10 pm | \$55.27 | 1,160.68 |
| M-Su-10 pm to midnight | \$29.61 | 414.53 |
| M-S- midnight to 6 a.m. | \$5.92 | 248.72 |
| Sa/Su-6 am to noon | \$20.73 | 248.72 |
| Sa/Su- noon to 7 pm | \$26.65 | 373.08 |
| | | <u>4,145.30</u> |

LEASED ACCESS RATES

for

Bloomington, IL

Expanded Basic

| | |
|---|---------------------|
| Leased Access Rate for Premium Services: (per month) | \$ <u>18,586.26</u> |
|---|---------------------|

| | |
|--|---------------------|
| Leased Access Rate for all other programming: (per month) | \$ <u>14,535.75</u> |
|--|---------------------|

Additional charges will be made for technical support or billing services.

Applicable franchise fees and taxes will be added to the above rates.

All rates are subject to change. No channel access will be leased prior to the execution of an agreement for leased access.

See ATTACHMENT 1 for hourly and weekly rates for specific time periods.

5/7/96
10:37 AM

H1659A-Lease Access

ATTACHMENT 1

Bloomington, IL

Expanded Basic

Premium Service

| <u>Time Period</u> | <u>Hourly Rate</u> | <u>Weekly Rate</u> |
|-------------------------|--------------------|--------------------|
| M-F-6 am to 8 am | \$12.87 | \$128.67 |
| M-F-8 am to 3 pm | \$26.96 | 943.61 |
| M-F-3 pm to 7 pm | \$34.31 | 686.26 |
| M-Su-7 pm to 10 pm | \$57.19 | 1,200.96 |
| M-Su-10 pm to midnight | \$30.64 | 428.91 |
| M-S- midnight to 6 a.m. | \$6.13 | 257.35 |
| Sa/Su-6 am to noon | \$21.45 | 257.35 |
| Sa/Su- noon to 7 pm | \$27.57 | 386.02 |
| | | <u>4,289.14</u> |

All Other Programming

| <u>Time Period</u> | <u>Hourly Rate</u> | <u>Weekly Rate</u> |
|-------------------------|--------------------|--------------------|
| M-F-6 am to 8 am | \$10.06 | \$100.63 |
| M-F-8 am to 3 pm | \$21.08 | 737.97 |
| M-F-3 pm to 7 pm | \$26.84 | 536.70 |
| M-Su-7 pm to 10 pm | \$44.73 | 939.23 |
| M-Su-10 pm to midnight | \$23.96 | 335.44 |
| M-S- midnight to 6 a.m. | \$4.79 | 201.26 |
| Sa/Su-6 am to noon | \$16.77 | 201.26 |
| Sa/Su- noon to 7 pm | \$21.56 | 301.90 |
| | | <u>3,354.40</u> |

5/7/96
10:37 AM

H1869A-Lease Access

LEASED ACCESS RATES

for

Bloomington, IL

Basic

| | |
|---|---------------------|
| Leased Access Rate for Premium Services: (per month) | \$ <u>18,586.26</u> |
|---|---------------------|

| | |
|--|---------------------|
| Leased Access Rate for all other programming: (per month) | \$ <u>19,773.19</u> |
|--|---------------------|

Additional charges will be made for technical support or billing services.
Applicable franchise fees and taxes will be added to the above rates.
All rates are subject to change. No channel access will be leased prior to the
execution of an agreement for leased access.

See ATTACHMENT 1 for hourly and weekly rates for specific time periods.

ATTACHMENT 1

Bloomington, IL

Basic

Premium Service

| <u>Time Period</u> | <u>Hourly Rate</u> | <u>Weekly Rate</u> |
|-------------------------|--------------------|--------------------|
| M-F-6 am to 8 am | \$12.87 | \$128.67 |
| M-F-8 am to 3 pm | \$26.96 | \$943.61 |
| M-F-3 pm to 7 pm | \$34.31 | \$686.26 |
| M-Su-7 pm to 10 pm | \$57.19 | \$1,200.96 |
| M-Su-10 pm to midnight | \$30.64 | \$428.91 |
| M-S- midnight to 6 a.m. | \$6.13 | \$257.35 |
| Sa/Su-6 am to noon | \$21.45 | \$257.35 |
| Sa/Su- noon to 7 pm | \$27.57 | \$386.02 |
| | | <u>4,289.14</u> |

All Other Programming

| <u>Time Period</u> | <u>Hourly Rate</u> | <u>Weekly Rate</u> |
|-------------------------|--------------------|--------------------|
| M-F-6 am to 8 am | \$13.69 | \$136.89 |
| M-F-8 am to 3 pm | \$28.68 | 1,003.87 |
| M-F-3 pm to 7 pm | \$36.50 | 730.09 |
| M-Su-7 pm to 10 pm | \$60.84 | 1,277.65 |
| M-Su-10 pm to midnight | \$32.59 | 456.30 |
| M-S- midnight to 6 a.m. | \$6.52 | 273.78 |
| Sa/Su-6 am to noon | \$22.82 | 273.78 |
| Sa/Su- noon to 7 pm | \$29.33 | 410.67 |
| | | <u>4,563.04</u> |

LEASED ACCESS RATES

for

Bloomington, IL

Expanded Basic

| | |
|---|---------------------|
| Leased Access Rate for Premium Services: (per month) | \$ <u>18,586.26</u> |
|---|---------------------|

| | |
|--|---------------------|
| Leased Access Rate for all other programming: (per month) | \$ <u>14,203.43</u> |
|--|---------------------|

Additional charges will be made for technical support or billing services.
Applicable franchise fees and taxes will be added to the above rates.
All rates are subject to change. No channel access will be leased prior to the
execution of an agreement for leased access.

See ATTACHMENT 1 for hourly and weekly rates for specific time periods.

5/7/96
10:26 AM

H1669A-Lease Access6/96

ATTACHMENT 1

Bloomington, IL

Expanded Basic

Premium Service

| <u>Time Period</u> | <u>Hourly Rate</u> | <u>Weekly Rate</u> |
|-------------------------|--------------------|--------------------|
| M-F-6 am to 8 am | \$12.87 | \$128.67 |
| M-F-8 am to 3 pm | \$26.96 | 943.61 |
| M-F-3 pm to 7 pm | \$34.31 | 686.26 |
| M-Su-7 pm to 10 pm | \$57.19 | 1,200.96 |
| M-Su-10 pm to midnight | \$30.64 | 428.91 |
| M-S- midnight to 6 a.m. | \$6.13 | 257.35 |
| Sa/Su-6 am to noon | \$21.45 | 257.35 |
| Sa/Su- noon to 7 pm | \$27.57 | 386.02 |
| | | <u>4,289.14</u> |

All Other Programming

| <u>Time Period</u> | <u>Hourly Rate</u> | <u>Weekly Rate</u> |
|-------------------------|--------------------|--------------------|
| M-F-6 am to 8 am | \$9.83 | \$98.33 |
| M-F-8 am to 3 pm | \$20.60 | 721.10 |
| M-F-3 pm to 7 pm | \$26.22 | 524.43 |
| M-Su-7 pm to 10 pm | \$43.70 | 917.76 |
| M-Su-10 pm to midnight | \$23.41 | 327.77 |
| M-S- midnight to 6 a.m. | \$4.68 | 196.66 |
| Sa/Su-6 am to noon | \$16.39 | 196.66 |
| Sa/Su- noon to 7 pm | \$21.07 | 294.99 |
| | | <u>3,277.72</u> |

5/7/96
10:26 AM

H1669A-Lease Access6/96

APPENDIX C

DECLARATION OF BARRY R. FORBES

1. I, Barry R. Forbes, declare as follows:
2. My name is Barry R. Forbes. I am over the age of twenty-one and fully competent to make this declaration. I am a resident of the state of Virginia. My home address is 2407 Leslie Avenue, Alexandria, VA 22301. The statements contained in this declaration are within my personal knowledge or opinion, and each is true and correct.
3. I am the Executive Director of the Alliance for Community Media ("Alliance"), a non-profit national membership organization which is involved in telecommunications issues. I have served in such capacity since July 15, 1994. I have been associated with a public access center as a program producer and/or member of the center's board of directors since 1989.
4. The Alliance for Community Media is registered as a 501(c)(3) tax-exempt corporation, located in the District of Columbia. Its office address is 666 11th Street, N.W., Suite 806, Washington, D.C. 20001. Its main telephone number is (202) 393-2650.
5. The Alliance was founded in 1976 as the National Federation of Local Cable Programmers. It changed its name to the Alliance for Community Media in 1991, to more accurately reflect its mission and the composition of its membership.
6. The mission of the Alliance is to assure all Americans' access to electronic media. The Alliance accomplishes this by creating public education, advancing a positive legislative and regulatory environment, and supporting local organizing.
7. The Alliance represents the interests of over 950 public, educational and governmental ("PEG") access organizations throughout the country. Many of these organizations are PEG access centers.
8. PEG access centers are organizations that facilitate, produce and/or transmit public, educational and governmental access programming. These centers are created and maintained pursuant to a franchise agreement between a local government entity, usually a city, and the franchisee cable operator.
9. The cable operator provides PEG access capacity, facilities, equipment and services as part of the package of compensation to the government entity for the franchise. Generally, such a franchise includes an easement for use of public rights-of-way for laying coaxial cable and other transmission equipment.
10. PEG access provisions have been included in franchise agreements since the beginning of cable television. Local governments' continuing authority to ask for and receive such access capacity, facilities, equipment and services is protected by Section 611 of the 1984 Cable Act, codified at 47 U.S.C. § 531.
11. Generally speaking, educational and governmental access programming is under the editorial control of an organization selected by the franchising authority. In the case of an educational access channel, such organization is usually a college, university, or school district. In the case of a governmental access channel, such organization is usually a city or county or an agency of such city or county. In both cases, the organization generally maintains control over the material transmitted by that access organization.

12. Public access channels are generally required by franchise agreement, local ordinance or state law to transmit programming supplied by the general public on a first-come, first serve basis. Generally, the organization managing the public access center may not exercise any editorial discretion over selection or content of public access programming, except where such programming is contrary to law (such as obscene or libelous programming). On information and belief, public access centers do not permit discrimination on the basis of viewpoint.

13. On information and belief, many public access centers are authorized by state law, local ordinance, franchise agreement, or center policy to place reasonable content-based restrictions on public access programming. These restrictions are generally limited to time, place and manner restrictions, and restrictions that prohibit commercial programming or commercial messages. These restrictions are consonant with the mission of public access, which is to provide a meaningful platform for local non-commercial voices, including non-profit organizations and individuals, to transmit their views and messages via cable television.

14. On information and belief, many public access centers are authorized by franchise agreement, center policy, state law or local ordinance to restrict the transmission of programming to programs either produced or sponsored by a resident of the franchise area. Such local-production/local-sponsorship requirements are managed on a viewpoint-neutral basis. In jurisdictions where this policy is implemented, only programming provided by a local resident will be transmitted. This policy responds to Congress' concern that public access programming promote the goal of localism.

15. In my opinion, PEG access provides an important resource for local non-profit organizations and governmental units to transmit public service programming of interest to that particular community, and effectively carries out the will of Congress in promoting the building of local communities by allowing local residents the opportunity to speak to each other about local concerns.

16. On information and belief, public access channels do not provide an efficient and effective means for national and state-wide non-profit organizations to transmit programming, because of the difficulty national and regional organizations would have in complying with public access centers' localism requirements.

17. On information and belief, public access channels do not provide an effective means to achieve general distribution of programming, because only a minority of cable systems are required by franchise agreements to provide public access capacity, facilities, services, and equipment.

18. In 1990, Professor Patricia Aufderheide completed a study documenting the prevalence of PEG access on cable systems throughout the country. The results of that study were published as "Cable Television and the Public Interest," in 42 Journal of Communication 52 (1992) ("Aufderheide").

19. According to Aufderheide, only 16.5 percent of cable systems maintained any form of public access channels. On information and belief, a substantial minority of these channels are available for public use are available for only a few hours each week. Consequently, I am of the opinion that public access is neither comprehensively available nor sufficient to meet the needs of non-profit organizations that wish to distribute programming nationally.

20. According to Warren, 63 Cable and Television Factbook at iv, there were 11,351 separate cable operating systems in the United States as of 1995

21. In 1993, the Alliance received a grant from the John D. & Catherine T. MacArthur Foundation to assemble a comprehensive listing of PEG access centers around the country. The survey, which was completed over the course of six months, was able to locate 962 PEG access organizations (including local cable commissions, public service commissions, and non-profit organizations which support film and video arts, but which neither produce nor transmit video programming). These entities are listed in Alliance for Community Media, Community Media Resource Directory (1994) ("CMRD").

22. On information and belief, the survey published in the CMRD located approximately half of the PEG access organizations that exist. Based on the data collected in the CMRD and my personal experience, I would estimate that there are approximately 2,000 PEG access organizations throughout the United States, including those organizations that support and regulate, but do not produce or transmit cable access programming.

23. Of the 962 organizations listed in the CMRD, 524, or slightly more than half, offer public access.

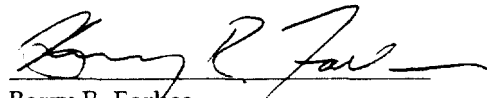
24. The survey published in the CMRD was unable to locate any public access centers in five states -- Delaware, South Carolina, Utah, West Virginia and Wyoming. On information and belief, there is no public access in these five states. In a number of major cities, such as Tampa, FL, Philadelphia, PA, and Los Angeles, CA, public access services are currently nonexistent.

25. Based on the foregoing, I believe that public access centers currently serve a smaller percentage of cable systems than the 16.5 percent found by Prof. Aufderheide in 1990.

26. On information and belief, public access is available on less than ten percent of all currently operating cable systems in the United States. What public access exists is inadequate to meet local and national demand.

27. Based on the foregoing, I conclude that public access is inadequately available to satisfy the demand of national non-profit organizations to transmit programming on a nationwide or regional basis.

I declare under penalty of perjury that the above is true and correct. Signed the 14 day of May, 1996, in WASHINGTON, DC.


Barry R. Forbes